

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Michael Paul Hill  
Heather Lynn Hill**  
Debtor(s)

Bankruptcy Case No.: 17-10959-TPA  
Per November 7, 2017 Proceeding  
Chapter: 13  
Docket No.: 28 - 14  
Concil. Conf.: March 13, 2018 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated October 4, 2017 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Mar. 13, 2018 at 01:30 PM, in Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: M&T Bank (Claim No. 7) .
- ☒ H. Additional Terms: 1) Erie Community Credit Union (Claim No. 4) shall be paid per stipulation at \$300.00 per month.

2) The claim of One Main Financial (Claim No. 2) shall govern as to amount, paid in full at modified plan terms.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Thomas P. Agresti, Judge  
United States Bankruptcy Court

Dated: November 8, 2017

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 Michael Paul Hill  
 Heather Lynn Hill  
 Debtors

Case No. 17-10959-TPA  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-1

User: jmar  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 55

Date Rcvd: Nov 08, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 10, 2017.

db/jdb  
 cr  
 +Michael Paul Hill, Heather Lynn Hill, 20 Johnson Street, Union City, PA 16438-1466  
 +Cavalry SPV I, LLC, Bass & Associates, P.C., 3936 E. Ft. Lowell Rd, Suite #200,  
 Tucson, AZ 85712-1083  
 14691352 +Aes / Pnc Bank, Po Box 61047, Harrisburg, PA 17106-1047  
 14691354 +Anesthesia Consultants of Erie, 232 West 25th Street, Erie, PA 16544-0002  
 14691355 +Ariosa Diagnostics Inc, Dept. Ch 16829, Palatine, IL 60055-0001  
 14691356 +Associated Clinical Laboratories, PO Box 740631, Cincinnati, OH 45274-0631  
 14691360 +CBCS, PO Box 2724, Columbus, OH 43216-2724  
 14691357 +Capital One, Attn: Bankruptcy, Po Box 30253, Salt Lake City, UT 84130-0253  
 14691358 +Capital One / Nautilus, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285  
 14691361 +Citibank / The Home Depot, Centralized Bankruptcy, Po Box 790040, S Louis, MO 63179-0040  
 14691362 +Comenity Bank / Kings Sizes, Po Box 182125, Columbus, OH 43218-2125  
 14691363 +Community Medicine, Inc., 1024 West View Park Drive, Pittsburgh, PA 15229-1771  
 14691366 +Creditech / Chaly, Attn: Collections, Po Box 99, Bangor, PA 18013-0099  
 14691367 +DELL FINANCIAL SERVICES, P O BOX 81577, AUSTIN TX 78708-1577  
 (address filed with court: Dell Financial Services, Attn: Bankruptcy, Po Box 81577,  
 Austin, TX 78708)  
 14691369 +Erie Community Credit Union, 1129 State Street, Erie, PA 16501-1911  
 14691371 +First Federal Credit & Collections, 24700 Chagrin Boulevard, Suite 205,  
 Cleveland, OH 44122-5662  
 14691372 +First Savings Credit Card, Po Box 5019, Sioux Falls, SD 57117-5019  
 14691373 +I C System Inc, Po Box 64378, Saint Paul, MN 55164-0378  
 14691378 +Medicor Associates Inc, 3330 Peach Street, Room 203, Erie, PA 16508-2772  
 14712820 +Nelnet on behalf of PHEAA, PA Higher Education Assistance Agency, PO Box 8147,  
 Harrisburg, PA. 17105, 8 17105-8147  
 14691380 +North American Partners in Anesthesia, PO Box 275, Glen Head, NY 11545-0275  
 14691381 +Ob/Gyn Associates of Erie, 100 Peach Street, Suite 300, Erie, PA 16507-1423  
 14713214 +PHEAA, PO Box 8147, Harrisburg, PA 17105-8147  
 14691384 +Pathology Associates of Erie, 5700 Southwyck Boulevard, Toledo, OH 43614-1509  
 14691386 +Receivables Outsourcing LLC, PO Box 62850, Baltimore, MD 21264-2850  
 14691393 +Transworld Systems Inc, 300 Cedar Ridge Drive, Suite 307, Pittsburgh, PA 15205-1159  
 14691395 +UPMC Health Services, PO Box 371472, Pittsburgh, PA 15250-7472  
 14691396 +Upper Body Rehabilitation Center, 300 State Street, Suite 206, Erie, PA 16507-1429  
 14691397 +Verizon, Bankruptcy Administration, 500 Tecnolgy Drive, Suite 500,  
 Weldon Springs, MO 63304-2225  
 14691398 Wells Fargo Financial National Bank, CscI Dispute Team N8235-04m, Des Moines, IA 50306

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14691353 E-mail/Text: ebnbankruptcy@ahm.honda.com Nov 09 2017 01:09:25 American Honda Finance,  
 Po Box 168088, Irving, TX 75016  
 14691359 +E-mail/Text: bkr@cardworks.com Nov 09 2017 01:08:18 Cardworks / CW Nexus,  
 Attn: Bankruptcy, Po Box 9201, Old Bethpage, NY 11804-9001  
 14691364 +E-mail/Text: bankruptcy\_notifications@ccsusa.com Nov 09 2017 01:09:56  
 Credit Collection Services, 725 Canton Street, Norwood, MA 02062-2679  
 14691365 +E-mail/PDF: creditonebknotifications@resurgent.com Nov 09 2017 01:18:56 Credit One Bank Na,  
 Po Box 98873, Las Vegas, NV 89193-8873  
 14699042 E-mail/Text: mrdiscen@discover.com Nov 09 2017 01:08:21 Discover Bank,  
 Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025  
 14691368 +E-mail/Text: mrdiscen@discover.com Nov 09 2017 01:08:21 Discover Financial, Po Box 3025,  
 New Albany, OH 43054-3025  
 14691370 +E-mail/Text: bnc-bluestem@quantum3group.com Nov 09 2017 01:09:44 Fingerhut,  
 6250 Ridgewood Road, St Cloud, MN 56303-0820  
 14691374 +E-mail/Text: bnckohlsnotices@becket-lee.com Nov 09 2017 01:08:27 Kohls / Capital One,  
 Kohls Credit, Po Box 3043, Milwaukee, WI 53201-3043  
 14691375 +E-mail/Text: bk@lendingclub.com Nov 09 2017 01:09:39 Lending Club Corporation,  
 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985  
 14691376 E-mail/Text: camanagement@mtb.com Nov 09 2017 01:08:33 M & T Bank, Po Box 844,  
 Buffalo, NY 14240  
 14714794 E-mail/Text: camanagement@mtb.com Nov 09 2017 01:08:33 M&T Bank, P.O. Box 1288,  
 Buffalo, NY 14240-1288  
 14691377 +E-mail/Text: mwetherbee@mmchs.org Nov 09 2017 01:09:33 Meadville Medical Center,  
 1034 Grove Street, Meadville, PA 16335-2945  
 14691379 +E-mail/Text: electronicbkydocs@nelnet.net Nov 09 2017 01:09:21 Nelnet, Bankruptcy,  
 Po Box 82505, Lincoln, NE 68501-2505  
 14706691 E-mail/PDF: cbp@onemainfinancial.com Nov 09 2017 01:12:58 ONEMAIN, P.O. BOX 3251,  
 EVANSVILLE, IN 47731-3251  
 14691383 +E-mail/PDF: cbp@onemainfinancial.com Nov 09 2017 01:12:58 Onemain Financial,  
 Attn: Bankruptcy, Po Box 3251, Evansville, IN 47731-3251  
 14691382 +E-mail/PDF: cbp@onemainfinancial.com Nov 09 2017 01:13:10 Onemain Financial, Po Box 1010,  
 Evansville, IN 47706-1010  
 14692183 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Nov 09 2017 01:32:43  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

District/off: 0315-1

User: jmar  
Form ID: 149

Page 2 of 2  
Total Noticed: 55

Date Rcvd: Nov 08, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

14691385 +E-mail/Text: BankruptcyMail@questdiagnostics.com Nov 09 2017 01:10:01 Quest Diagnostic,  
3 Giralda Farms, Madison, NJ 07940-1027  
14691387 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2017 01:13:00 Synchb, Attn: Bankruptcy,  
Po Box 965060, Orlando, FL 32896-5060  
14691388 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2017 01:12:49 Synchb / HH Gregg,  
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060  
14691389 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2017 01:13:00 Synchb / Specialized,  
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060  
14691390 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2017 01:12:49 Synchrony Bank / JCPenneys,  
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060  
14691391 +E-mail/PDF: gecsedirecoverycorp.com Nov 09 2017 01:12:49 Synchrony Bank / Lowes,  
Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060  
14691392 +E-mail/Text: DL-ICOMSBankruptcy@charter.com Nov 09 2017 01:09:38 Time Warner Cable,  
60 Columbus Circle, New York, NY 10023-5860  
14691394 +E-mail/Text: BankruptcyNotice@upmc.edu Nov 09 2017 01:09:47 UPMC Hamot, 201 State Street,  
Erie, PA 16550-0001

TOTAL: 25

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr M&T BANK  
cr\* +Erie Community Credit Union, 1129 State Street, Erie, PA 16501-1911  
cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, \* 2, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 10, 2017

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 8, 2017 at the address(es) listed below:

Daniel P. Foster on behalf of Debtor Michael Paul Hill dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com  
Daniel P. Foster on behalf of Joint Debtor Heather Lynn Hill dan@mrdebtbuster.com,  
clarissa@mrdebtbuster.com; fosterlaw@ecf.inforuptcy.com; anne@ecf.inforuptcy.com  
James Warmbrodt on behalf of Creditor M&T BANK bkgroup@kmlawgroup.com  
Nicholas R. Pagliari on behalf of Creditor Erie Community Credit Union npagliari@mijb.com,  
sburick@mijb.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com

TOTAL: 6